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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/048,124	10/21/2001	Ruben Gonzalez	4383P	2728
7590	08/13/2004		EXAMINER	
Parsons Behle & Latimer Suite 1800 201 South Main Street Salt Lake City, UT 84111-2218			SENF, BEHROOZ M	
			ART UNIT	PAPER NUMBER
			2613	//
DATE MAILED: 08/13/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/048,124	GONZALEZ, RUBEN
	Examiner Behrooz Senfi	Art Unit 2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 May 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-16, 19-22, 24 and 25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. Claims 20 – 22 are objected to because of dependency to the canceled claims 17 – 18. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 14, 9 – 12 and 16, are rejected under 35 U.S.C. 102(e) as being anticipated by Courtney (US 6,385,772).

Regarding claim 1, Courtney '772 discloses "a wireless surveillance system" (i.e. fig. 1), and "one or more video recording means for recording video images" (i.e. fig. 1, cameras 12 and 13), and "a motion detection means that generates a warning signal" (i.e. fig. 4, col. 7, lines 10 – 53), and "at least one interface module comprising a conversion means that converts the video images to transmittable data, and a second wireless point to point communication means that transmits the transmittable data from the interface module to a handheld portable monitor device" (i.e. fig. 1), and "an alarm activation means that transmits an alarm signal to the handheld portable monitor device when motion detected by the motion detection means" (i.e. col. 6, lines 64 – col. 7, lines 53), and "handheld portable monitor device having a first wireless communication

means for receiving the transmittable data from the interface module and the alert signal from the motion detection means and a conversion and display means" reads on "fig. 1, portable device 46, including display 51).

Regarding claim 2, Courtney '772 discloses, "the portable monitor device is a personal digital assistant or similar handheld processing unit" (i.e. fig. 1, portable device 46).

Regarding claims 3 and 4, Courtney '772 discloses, "interface module includes input means for receiving video signal from video cameras" (i.e. fig. 1), and "video recording means is a digital camera" (video cameras 12 and 13 are digital, which can be coupled to the computer and provides/transmits the captured images to the system/processor 22).

Regarding claim 9, Courtney '772 discloses, "wherein the interface module includes processing means programmed with video and audio compression algorithms and wherein the portable monitor device incorporates a processor means programmed with corresponding audio and video decompression algorithms" (i.e. col. 7, lines 29 – 37).

Regarding claims 10 – 11, Courtney '772 discloses, "the first wireless transmission means is a signal receiving means" and "the first wireless transmission means is a signal receiving and transmitting means" (i.e. fig. 1).

Regarding claims 12 – 16, Courtney '772 discloses, "the second wireless transmission means is a signal receiving means" and "the second wireless transmission means is a signal receiving and transmitting means" (i.e. fig. 1, 46).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 5 – 16 and 19 - 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney (US 6,385,772) in view of Thro et al (US 6,037,991).

Regarding claim 5, Courtney '772 teaches, "a wireless surveillance system including one or more video recording means for recording video images and transmitting to the system processor" (i.e. fig. 1, cameras 12 and 13). Courtney '772 preferred, using digital video recording cameras. But fails to explicitly teach "use of analog video camera". However using an analog camera accompanying with an A/D converter for communicating video images/information are well known and used in the prior art of the record as evidenced by Thro '991 (i.e. figs. 1 - 2, cameras 116 – 119, col. 8, lines 10+) and it would consider an obvious alternative design choice to one skilled in the art at the time of the invention was made.

Regarding claim 6, combination of Courtney '772 and Thro '991 teaches, "analog to digital A/D converter" (i.e. fig. 2, 201 of thro).

Regarding claim 7, combination of Courtney '772 and Thro '991 teaches, "a wireless communication interface for receiving and transmitting video/audio, therefore the "buffering" as claimed would have been obvious over the combined teaching of Courtney '772 and Thro '991.

Regarding claims 8 - 9, combination of Courtney '772 and Thro '991 teaches the claimed limitation "video and audio compression algorithms and decompression algorithm" (i.e. fig. 2, col. 8, lines 10+ of Thro, and col. 7, lines 20+ of Courtney).

Regarding claims 10 - 13, combination of Courtney '772 and Thro '991 teaches the claimed limitation "the first wireless transmission means is a signal receiving means" and "the first wireless transmission means is a signal receiving and transmitting means" (i.e. fig. 7, 703 – 707 of Thro).

Regarding claims 14 - 15, combination of Courtney '772 and Thro '991 teaches the claimed limitation "second wireless communication means is integral with the interface module" (i.e. fig. 1, 101 and 112 of Thro), and "first wireless communication means includes means for transmitting the signals and second wireless communication means includes means for receiving signals" (i.e. fig. 1, of Thro).

Regarding claim 16, combination of Courtney '772 and Thro '991 teaches, "first wireless communication means includes means for transmitting the signals and second wireless communication means includes means for receiving signals" (i.e. fig. 1, of Thro).

Regarding claims 19 - 22, combination of Courtney '772 and Thro '991 teaches, "voice signal" (i.e. col. 12, lines 9 – 11 of Thro), and "selection means" (i.e. col. 3, lines 48 – 52 of Thro, and col. 6, lines 20+ of Courtney), and "storage means" (i.e. fig. 1, processor 24 of Courtney, and col. 8, lines 20+ of Thro).

6. Claims 24 – 25, are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney (US 6,385,772) in view of Monroe (US 6,392,692).

Regarding claim 24, Courtney '772 teaches, "a wireless surveillance system including one or more video recording means for recording video images and transmitting to the system processor" (i.e. fig. 1, cameras 12 and 13). Courtney '772 fails to explicitly teach "audio detecting means". However such feature are well known and used in prior art of the record as evidenced by Monroe (i.e. col. 15 – 16, lines 61 – 27). Therefore, Taking the combined teaching of Courtney and Monroe makes the limitation obvious to one skilled in the art at the time the invention was made. Doing so would improve detection accuracy (col. 16, lines 24 – 25 of Monroe).

Regarding claim 25, Combination of Courtney and Monroe teaches "thresholding" (i.e. col. 16, lines 19 – 25 of Monroe).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(703)305-0132**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chris Kelley** can be reached on **(703)305-4856**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. S. B. S.:

8/7/2004


CHRIS KELLEY
SUPPLEMENTAL EXAMINER
TECHNOLOGY CENTER 2600